

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 28, 2006**

DIVISION ONE

B184337 People (Not for Publication)  
v.  
William Brian Stannard

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.  
Mallano, J.

B183122 People (Not for Publication)  
v.  
Michael T. Hicks

Those parts of the minutes and abstract of judgment stating that a 10-year gun-use enhancement on count 3 is imposed pursuant to section 12022.53 are vacated. We remand the case for the trial court to prepare amended minutes and an amended abstract of judgment reflecting that the gun-use enhancement on count 3 was imposed pursuant to section 12022.5, subdivision (a). In all other respects, the judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

July 28, 2006 (Continued)

## DIVISION ONE (Continued)

[illegible]

The finding that Hinnacio committed an assault with a knife is stricken. The matter is remanded for the court to prepare an amended minute order reflecting that Hinnacio violated section 245, subdivision (a)(1) only by committing assault by means of force likely to produce great bodily injury. In all other respects, the judgment (order of wardship) is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.  
Mallano, J.

### DIVISION THREE

B186335      Bruce M. Glover      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Dentsply International Inc., r.p.i.)

The order to show cause is discharged and the petition is granted. The trial court is directed to vacate its order denying Dr. Glover's motion to vacate the order requiring opt-in notice and to enter a new and different order: (1) granting the motion to vacate; (2) vacating the order requiring opt-in notice; and (3) requiring the class to be noticed on an opt-out basis. Dentsply is to pay Dr. Glover's costs in this appellate proceeding.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

July 28, 2006 (Continued)

DIVISION THREE (Continued)

B180008      April Marie Ditsch                      (Not for Publication)  
                 v.  
                 Peppertree Cafe et al

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur:   Klein, P.J.  
                 Croskey, J.

B183344      American Liberty Bail Bonds Inc. et al    (Certified for Publication)  
                 v.  
                 John Garamendi, As Insurance Commissioner, etc et al

The judgments are affirmed. All parties are to bear their own costs on appeal.

Aldrich, J.

We concur:   Klein, P.J.  
                 Croskey, J.

DIVISION FOUR

B188171      BNI Enterprises, Inc.                      (Not for Publication)  
                 v.  
                 Holmes

The appeal is dismissed.

Willhite, Acting P.J.

We concur:   Manella, J.  
                 Suzukawa, J.

July 28, 2006 (Continued)

DIVISION FIVE

B184744     Los Angeles County, D.C.S.  
              v.  
              Lavenia P.  
              In re Rosemary D.

Filed order vacating submission order of April 7, 2006. Cause resubmitted.

DIVISION SEVEN

B180503     People v. Hernandez  
B188073     Hernandez on Habeas Corpus

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

Each of the following:

B183576     People v. Maria  
B184162     People v. Daniels  
B185020     People v. Fuentes  
B188926     DCFS v. Destin S.  
B186657     People v. Dutertre

Argument waived, cause submitted.

B183799     People  
              v.  
              Ahumada

Merits:

Argued by Leslie Conrad for appellant and respondent has waived oral argument. Cause submitted

DIVISION EIGHT (Continued)

B182153     Hightower,  
              v.  
              Roman Catholic Bishop of Sacramento,

Merits:  
Argued by Stephen Greene, Jr. for respondent. Appellant waived oral argument. Cause submitted.

B180504     People  
              v.  
              Gomez and Morones

Merits:  
Argued by A. William Bartz for appellant Gomez, by Peter Gold for appellant Morones and by Marc Kohm, Deputy Attorney General for respondent. Cause submitted.

B183291     People  
              v.  
              Burton

Merits:  
Argued by Barbara Michel for appellant and by A. Scott Hayward, Deputy Attorney General for respondent. Cause submitted.

B186696     Schindler  
              v.  
              Stutman et al.,

Merits:  
Argued by Tristram Buckley for appellant and by Brian Grossman for respondents. Cause submitted.

Justice Boland left the bench.

DIVISION EIGHT (Continued)

B183765     People  
              v.  
              Nava and Becerra

Merits:

Argued by Donald R. Tickle for appellant Nava, by Patricia Ihara for appellant Becerra and by Taylor Nguyen, Deputy Attorney General for respondent. Cause submitted.

Justice Boland returned to the bench.

B185910     Lopes  
              v.  
              De La Salle Institute

Merits:

Argued by Jeremy Friedman for appellant and by George Yuhas for respondent. Cause submitted.

Presiding Justice Cooper left the bench.

B182960     Craig et al.,  
              v.  
              Chubb Group Of Insurance Company,

Merits:

Argued by Robert A. Brown for appellants and no appearances for respondent. Cause submitted.

Court adjourned.

July 28, 2006 (Continued)

DIVISION EIGHT (Continued)

B183890      Reksz      (Not for Publication)  
v.  
Jansco

The judgment is vacated and the matter is remanded for the limited purpose of permitting the trial court to clarify its ruling to state if, in adopting the findings of the advisory jury, it also made an independent factual determination, consistent with the standard articulated most recently in *A-C Co. v. Security Pacific Nat. Bank*, *supra*, 173 Cal.App.3d at page 474. If so, the court is directed to reinstate the judgment. If not, the court is directed to conduct the necessary further proceedings to complete the trial. In all other respects, the orders made by court are affirmed. Each party is to bear his, her or its own costs on appeal.

Boland, J.

We concur: Cooper, P.J.  
Rubin, J.

B185841      Burkle      (Certified for Publication)  
v.  
Burkle

The judgment is reversed and the cause is remanded to the trial court with directions to (1) vacate its order granting Ronald Burkle's motion for summary adjudication and denying Carrie Burkle's motion for leave to file a second amended complaint, and enter a new order denying the motion for summary adjudication and granting leave to file a second amended complaint; and (2) vacate its order denying Carrie Burkle's motion to compel further responses and production of documents and enter a new order granting the motion. Carrie Burkle is to recover her costs on appeal.

Boland, J.

We concur: Cooper, P.J.  
Rubin, J.

July 28, 2006 (Continued)

## DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.  
Flier, J.